

(5)(A) the assistance provided through the grant will contribute toward building the capacity of the eligible entity to provide a program on a regular basis, similar to the proposed program, that will be of sufficient size, scope, and quality to promise significant improvement in the education of limited English proficient children; and

(B) the eligible entity will have the resources and commitment to continue the program of sufficient size, scope, and quality when assistance under this subpart is reduced or no longer available; and

(6) the eligible entity will use State and national dissemination sources for program design and dissemination of results and products.

(i) Consideration

In determining whether to approve an application under this subpart, the Secretary shall give consideration to—

(1) the degree to which the program for which assistance is sought involves the collaborative efforts of institutions of higher education, community-based organizations, the appropriate local educational agency and State educational agency, or businesses; and

(2) whether the application provides for training for personnel participating in, or preparing to participate in, a program that will assist such personnel in meeting State and local certification requirements.

(Pub. L. 89-10, title III, §3214, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1712.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (h)(3)(B), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

The Civil Rights Act of 1964, referred to in subsec. (h)(4)(B), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Act is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

§ 6915. Capacity building

Each recipient of a grant under this subpart shall use the grant in ways that will build such recipient's capacity to continue to offer high-quality language instruction educational programs and special alternative instruction programs to limited English proficient children after Federal assistance is reduced or eliminated.

(Pub. L. 89-10, title III, §3215, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716.)

§ 6916. Programs for Native Americans and Puerto Rico

Notwithstanding any other provision of this part, programs authorized under this subpart that serve Native American (including Native American Pacific Islander) children and children in the Commonwealth of Puerto Rico may include programs of instruction, teacher training,

curriculum development, evaluation, and assessment designed for Native American children learning and studying Native American languages and children of limited Spanish proficiency, except that an outcome of programs serving such children shall be increased English proficiency among such children.

(Pub. L. 89-10, title III, §3216, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716.)

§ 6917. Evaluations

(a) Evaluation

Each recipient of funds under this subpart for a program shall annually conduct an evaluation of the program and submit to the Secretary a report concerning the evaluation, in the form prescribed by the Secretary.

(b) Use of evaluation

Such evaluation shall be used by the grant recipient—

- (1) for program improvement;
- (2) to further define the program's goals and objectives; and
- (3) to determine program effectiveness.

(c) Evaluation report components

In preparing the evaluation reports, the recipient shall—

(1) use the data provided in the application submitted by the recipient under section 6914 of this title as baseline data against which to report academic achievement and gains in English proficiency for children in the program;

(2) disaggregate the results of the evaluation by gender, native languages spoken by children, socioeconomic status, and whether the children have disabilities;

(3) include data on the progress of the recipient in achieving the objectives of the program, including data demonstrating the extent to which children served by the program are meeting the challenging State academic content and student academic achievement standards, and including data comparing limited English proficient children with English proficient children with regard to school retention and academic achievement concerning—

- (A) reading and language arts;
- (B) English proficiency;
- (C) mathematics; and

(D) the native language of the children, if the program develops native language proficiency;

(4) include information on the extent that professional development activities carried out through the program have resulted in improved classroom practices and improved student academic achievement;

include¹ a description of how the activities carried out through the program are coordinated and integrated with the other Federal, State, or local programs serving limited English proficient children; and

(6) include such other information as the Secretary may require.

(Pub. L. 89-10, title III, §3217, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716.)

¹ So in original. Probably should be "(5) include".